Village of Indian Head Park 201 Acacia Drive Indian Head Park, IL 60525

MEETING MINUTES BOARD OF TRUSTEES

"Pursuant to 5 ILCS 120/2.06 (3) minutes of public meetings shall include, but need not be limited to: a general description of all matters proposed, discussed, or decided, and a record of votes taken."

TOWN HALL MEETING Thursday, October 21, 2010

7:30 P.M.

★ CALL TO ORDER - MAYOR RICHARD ANDREWS

The special town hall meeting of the Village of Indian Head Park Board of Trustees was held on Thursday, October 21, 2010 at the Municipal Facility, 201 Acacia Drive, and was called to order at 7:30 p.m. by Mayor Richard Andrews. Village Clerk Joseph Consolo called the roll as follows:

★ ROLL CALL: JOSEPH CONSOLO, VILLAGE CLERK

PRESENT (AND CONSTITUTING A QUORUM):

Mayor Richard Andrews

Trustee Debbie Anselmo

Trustee Brian T. Bailey

Trustee Anne Bermier

Trustee Carol Coleman

Trustee Norman L. Schnaufer

Trustee Matthew P. Walsh II

ALSO PRESENT:

Joseph V. Consolo, Village Clerk

Richard J. Ramello, Counsel, Storino, Ramello & Durkin

NOT PRESENT:

Frank Alonzo, Chief of Police/Administration

★ PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Richard Andrews and the Board of Trustees led the audience in reciting the Pledge of Allegiance to the Flag. "I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all".

★ TOWN HALL MEETING FORUM FOR THE PURPOSES OF DISCUSSING THE HOME RULE REFERENDUM

Mayor Andrews convened the special town hall meeting of the Board of Trustees. He thanked residents for taking time to attend the meeting to discuss the home rule referendum that will be listed on the November ballot. He noted that previously the town hall meeting held in July covered Village finances and discussions included various options including placing the home rule question on the November ballot or possibly to consider a property tax increase to generate more revenue. Mayor Andrews stated that the Board voted in August to place a home rule referendum question on the November ballot to give residents the opportunity to be informed on home rule and to vote on the matter at the November election.

Mayor Andrews stated that the goal of the meeting this evening is to discuss what home rule is and the benefits of home rule. He noted that financial charts are available to all residents if anyone is interested in obtaining a copy for reference purposes. Mayor Andrews stated that Indian Head Park is not the only community that has a home rule question on the November ballot. He added that Blue Island, Franklin Park, Northfield, River Grove, Worth and Indian Head Park are all seeking home rule. Mayor Andrews stated that Indian Head Park is a non-home rule community, approximately 30% of residents in Illinois live in a non-home rule community and 70% live in a home rule community. He noted that the presumption in a non-home rule community is based on Dillon's Rule and for a non-home rule community to act it must have the authority granted by the Illinois General Assembly. Mayor Andrews stated that if State Statutes are silent on a particular matter and the Village would like to take action, under Dillon's rule the Village would not have that authority. He noted that a home rule community can act and has authority to make decisions even if the Statute is silent and there is no specific law on that issue the local municipality can take action. The Village has the right under the Illinois Constitution to seek home rule, towns that have a population over 25,000 automatically are home rule and towns with less than 25,000 populations must place a question on a ballot for voter approval to become home rule. Mayor Andrews stated that there are 199 municipalities in Cook County that are home rule, 128 of those towns acquired home rule by passage of a referendum and 48 of those towns have a population of less than 5,000 residents. Home rule in the general area of Indian Head Park includes Countryside, Bedford Park, McCook, Stickney and Hodgkins. Mayor Andrews stated that one benefit of home rule is the timely tailored legislation to local solutions for local problems that would allow the Board to act on issues quickly.

A non home rule community may try to take action but may not be authorized to do so by Springfield so there can be no solution. He added the Village could ask a local State representative to sponsor legislation to give a municipality authority to act, it would have to pass all the other State representatives and the General Assembly and even if it passed, the Governor could veto it. Mayor Andrews stated that a home rule community could tailor a solution to a local need with the ability to regulate activity in building, zoning, sanitation, nuisances, public health, safety and welfare, and economic development. He added that possibly the business district could be enhanced to generate revenue also for the Village. Mayor Andrews stated that some home rule communities adopt local ordinances that sets forth a fine for retail theft which allows a police department to access a separate fine from those that commit such offenses. He noted those fines entirely would come back to the Village rather than sharing it with Cook County for Court adjudication. Mayor Andrews also stated that any local ordinance violations would be heard through a local adjudication process and be self enforcing. He noted that non home rule communities in many cases have to seek a court order before proceeding. A home rule community can impose a minimum mandatory fine for certain traffic violations that would allow more of those fines to come back to Indian Head Park. Mayor Andrews stated that revenues that come from tickets issued by officers is down because the courts are imposing fines and court costs so sometimes maximum fines are not charged by the courts.

Mayor Andrews stated that home rule communities can raise revenues from various sources such as municipal retail and service occupation taxes, municipal use taxes, hotel/motel taxes, gasoline taxes, liquor and amusement taxes, food and beverage taxes and real estate taxes above the property tax extension limitation law (tax cap). He noted in the year 2000, the total Equalized Assessed Valuation (EAV) in Indian Head Park was about 85 million dollars and in the year 2010 the total EAV is about 100 million dollars more. Mayor Andrews stated that although the EAV has almost doubled from ten years ago which is good for taxpayers. Further, property tax revenue to the Village has not doubled. The Village previously received income from various sources that are now going down. Mayor Andrews referred to the financial chart distributed to the audience reflecting revenue and expenses. He noted there was a one-time revenue bump up in 2002, revenue declined in 2003 and state shared revenues (from income tax, motor fuel tax, local use and personal property tax) as well as other income sources have steadily declined and expenses have gone up. Mayor Andrews stated that some revenues are generated from other sources such as cellular towers on municipal property, vehicle stickers, business licenses, liquor licences and building permits. He noted that there are two candidates running for Governor (one wants to raise revenue by rasing income taxes and the other wants to cut spending) so he is concerned what will happen to the local distributive share of income tax if more goes to the State level and less of a percentage comes back to the local municipality. Mayor Andrews stated that 10% of that total revenue generated at the State level by income taxes comes back to Indian Head Park. Although there was a mention by Governor Quinn's legislative finance director that the State was considering reducing State shared revenues from 10% to 7%. He added that the Village would lose another \$90,000 in revenue if the State reduces the state shared revenue to 7%.

Mayor Andrews stated there is already a \$125,000 current local budget deficit for this fiscal year even with the cut backs that have been made. Mayor Andrews further stated that if there is sudden decrease in revenue from the State or other sources, the Village needs to react to that shortfall to make up the difference to meet its obligations. He added that streets that are in need of repaying have been deferred to be fiscally prudent, two debt certificate payments are due in December of this year and in three years those payments will be bumped up by \$100,000. Mayor Andrews stated that there is a consistent trend of declining revenues that are not keeping up with expenses. He added that 28% of the income to the Village comes from local property taxes. That amount helps to run the entire Village and all services with a 4 million dollar budget with less than one million dollars coming from property tax revenues. Mayor Andrews stated that if a tax increase was proposed, a home with an average value of about \$200,000 would have an increase in taxes to the Village of about \$54.00 per year and so forth as home values increase. Mayor Andrews stated that out of the 104 non home rule communities and 134 home rule municipalities, found that taxes rose 61% faster in a non home rule community. Mayor Andrews added that with home rule a Village can react more quickly to situations by enhancing economic development, possibly partnership between local government and the private sector, to be able to go to the bank and borrow money at possibly a lower rate because the Village would be a lower risk. Mayor Andrews stated that the Village's ability to get grants usually depends on a shared portion that must be contributed by the Village. However, the Village cannot even participate in those grant programs because there are no funds available to participate for the Village's shared portion. Mayor Andrews stated that if the Village were home rule possibly a low interest loan over five or ten years could be obtained to help fund the Village's portion for street repairs with the balance of the project to be paid by a State grant. He added at the end of the payment time a half million dollar project could have been accomplished at a cost to the Village of about \$100,000 plus some interest but the Village cannot do it without home rule authority. Mayor Andrews stated that if the Village needs \$200,000, maybe \$75,000 to \$100,000 could be raised from other revenue sources that are mostly generated from people outside of the community with the balance generated by property owners in the Village.

Mayor Andrews stated that if the Village needs to generate \$200,000 property owners have to kick in and this issue is not about raising taxes. He noted that residents have expressed concerns about giving the Board home rule authority. However, everyone that sits on the Board lives in town and residents vote to elect people to serve on the Board in each election. He added that just as the Village put the referendum question on the ballot, for home rule through Board action if the home rule was not working out, residents could put together a petition to revoke home rule status. Mayor Andrews stated that since the 1980's there has not been a referendum to revoke home rule authority in Illinois.

James Davidson, of 6440 Thunderbird Drive, stated the one comment that keeps coming up at meetings is that without home rule authority property taxes need to be increased. He further stated that either way home rule or non home rule property taxes will need to be raised to increase revenues.

Mr. Davidson stated that approximately 60% of Village revenue comes from a variety of sources and why not raise liquor license fees along with a property tax instead of home rule.

Mayor Andrews stated in 2008 business license fees as well as liquor license fees were increased because those fees had not been increased for five years. He noted that the economy is slow and maybe the impact on businesses could be minimized. Mayor Andrews stated that a property tax increase is a last resort and the Board hoped to be able to raise revenues from other sources through alternative methods. He noted that even in a home rule community a real estate property transfer stamp tax would need to be voted on and approved by referendum at the ballot box.

Don Chopp, of 129 Acacia Circle, asked why the Illinois Association of Realtors outside of the community sent postcard mailings to residents of Indian Head Park. Mayor Andrews stated this is the first time an outside special interest group has spent money to try to tell the people of Indian Head Park what is best for our community when that organization is located in another community. He noted that the Illinois Association of Realtors also sent postcard mailings to Franklin Park who is also seeking home rule authority on their ballot and the Realtors Association seems to be against any community that is asking for home rule. Mayor Andrews stated that the Illinois Realtors Association stated in their postcard mailing to residents that home rule in Indian Head Park will cost people jobs. He added that he was not aware that Motorola was going to close up or U.S. Steel was going to shut down their plant in Indian Head Park. Mayor Andrews stated that the Illinois Association of Realtors seems to believe that one argument fits all and one opposition is good for all communities without even knowing the demographics of each community. He added that organization certainly does not answer an emergency call at 2:00 a.m. when someone calls 911, they have not plowed or salted streets and why they are against home rule seems to indicate that it would be in their best interest to keep home rule from happening. Mayor Andrews stated that the Board is the Village's representative and that he is unaware of any current campaign in the 70% of communities that are home rule to take home rule authority away from those towns.

Chris Metz, of 6403 Arrowhead Court, stated that he obtained a copy of the Village's appropriations ordinance for the past two years and he asked what other items have been cut from the budget besides the leaf program. He noted that Police overtime in the amount of \$143,000 has not been cut. Mayor Andrews stated that employees have not been given pay raises this year, the Police Department is down one full-time officer and that position has not been filled, part-time officers are filling the gap with some overtime also because that is more cost effective than hiring a full-time employee with full benefits, a police vehicle was cut from the budget, drainage maintenance needs to be done in the Wilshire Green area, sanitary sewer televising has been reduced from \$20,000 to \$3,000 and a purchase order policy was implemented that requires Administrator approval of all expenditures over \$100.00 by all departments. Chris Metz asked if the Village considered furloughs or lay-offs.

Mayor Andrews noted that by not filling the vacant police officer position that has the same affect on the budget as laying someone off. Mayor Andrews stated that the Board has considered that but there is no one to lay-off. He added that Public Works has 4 employees, Administration has 3 employees with a part-time person that fills in, 5 full-time police officers and 3 sergeants.

Mayor Andrews pointed out that the Village is fortunate to have Frank Alonzo who serves part-time as both the Chief of Police and Village Administrator. He noted that there are positions that have not been filled and all departments are handling several responsibilities.

Pete Bucciarelli, of 125 Acacia Drive, stated there was a mention several times in Smoke Signals that there could be alternative methods with home rule to seek revenues. He further stated that Indian Head Park is a sleepy little community that has no industry, no commerce, no big shopping centers and no large medical buildings so the only other primary source of revenue would come from real estate taxes. Mr. Bucciarelli stated that he does not know how alternative methods to seek substantial revenue would ever be created because there is not much land available for development. He added that water bill rates are high, vehicle sticker fees are high and he understands the dilemma of the Board to try to find revenue. Mayor Andrews stated that it would be premature and presumptuous for the Board to decide in advance to take action to pass a tax increase or levy taxes on various items before home rule is even considered by the voters. He added that LaGrange, LaGrange Park and Western Springs each donated \$7,500 plus a grant from the Metropolitan Mayor's Caucus to study consolidation of police and fire dispatch services on those communities. Mayor Andrews pointed out that Indian Head Park dispatch services were merged with Southwest Central Dispatch for several years. He noted that the Board is trying to find common sense solutions and common sense methods of raising revenues from other sources before raising property taxes, which would be a last resort. Mayor Andrews stated that it has been over 15 years since the Village's portion of property tax has been increased. He added in 1996 or 1997 the Village borrowed money to help fund street repairs, residents approved a debt certificate for a street bond to pay for those repairs incrementally on their property tax bills to generate enough money each year to pay that street bond but that does not help with running the rest of the Village services. Mayor Andrews stated that in December of 2011 the last payment on that street bond will be paid so residents will see a reduction for that portion of tax on their bills because the bond will be paid off at that time. He noted that the City of Countryside mentioned in their newsletter that they have 10 million dollars in the General Corporate Fund, they receive over \$800.00 per capita sales tax every year and Indian Head is \$48.00 per capita. These funds are generated from the 1% distributive share of retail occupation sales tax that comes back to the community. Mayor Andrews stated that the City of Countryside has over 10 million dollars in unencumbered reserves from the 1% sales tax and there are 5,991 residents (\$837.00 per person), McCook has 254 residents, McCook is home rule and the community gets \$222,000 from the 1% sales tax (\$876.00 per capita), Hodgkins which is a home rule community gets over 3 million in sales taxes, with 2,134 residents (\$1,719.00 per capita from sales tax).

Sales tax per capita for neighboring towns: LaGrange Park (\$37.00 per capita), Brookfield (\$33.00 per capita with five times the sale tax generated and a population of about 19,000), Westchester (\$54.00 per capita) LaGrange (\$76.00 per capita).

Mayor Andrews stated that perhaps a home rule sales tax might help the community. He noted that the City of Countryside has a \$100,000 deficit and for the first time this year they will ask their residents to pay property taxes. Mayor Andrews stated that the Indian Head Park Board would not ask residents to pay more taxes if there was 10 million dollars in reserves in the bank. Countryside also imposed a 3 cents gasoline tax a few years ago but Indian Head Park is not home rule and there is only one gas station in town. Mayor Andrews stated that based on 1 million dollars of gasoline sold and a 3 cents a gallon gasoline tax would only generate about \$35,000 in revenue. He noted that those funds could possibly pay for a police car, a public works vehicle, a leaf pick-up program or those funds could be applied for street maintenance.

Mayor Andrews stated that when he first became Mayor there was mention that someone was interested in buying commercial property at 70th Place to create 300 overnight semitruck parking spaces. Most of those vehicles are independent contractors outside the community that own their own trucks for over the road travel. He noted that if the Village could have taxed those trucks at \$1.00 per space per day that would be about \$108,000 per year in revenue. Mayor Andrews pointed out that truck parking did not happen and it is not a possibility at this time. However, the Village is not home rule so that tax could not be imposed. Mayor Andrews stated that the Village would have more ability to address business district issues that could help to raise revenues to the Village instead of strictly relying on property taxes to make up revenue losses. He added that residents will have to decide for Indian Head Park at the ballot box what is better for the future of the community.

A resident of Shabbona Road, stated that he reviewed the home rule information paper prepared by the Village that was distributed to residents that referred to a 2002 NIU survey conducted about lower property taxes. He noted that he read the 2002 NIU survey and there was no mention about lower property taxes in that survey and the survey stated that home rule taxation increases remains one of the most frequent uses of home rule power. He further stated that if home rule were approved and a gasoline tax was imposed at the only gas station in town someone will just go to the gas station in the next town, which will result in decreased gas sales in town and there are not enough businesses in town to tax. He stated that home rule authority does not seem to be in the best interest of the Village and all residents have to pay property taxes to pay for community services. Mayor Andrews stated that an article from the Illinois Municipal League magazine relied on that same study to support its point that home rule authority actually decreases the reliance in property taxes.

Mayor Andrews stated in 2006, after a second try on the ballot, residents of the Village by referendum voted to approve a 1% sales tax increase which helps to generate about \$100,000 each year in income to the Village.

He noted that Indian Head Park has a senior population with fixed incomes so the idea was to try to seek revenues from alternative sources other than property taxes by asking for home rule authority. Mayor Andrews stated that Walgreens in Indian Head Park now also has a liquor license for carry-out sales as well as the two 7-Eleven locations in town which helps to generate sales tax for the community.

Mayor Andrews stated that home rule would allow the Board to try to get lower interest loans if funds need to be borrowed and also to participate in grant programs that might help to bring dollars back to the community for some projects.

Dan McCarthy, of Ashbrook, asked why the Village is asking for home rule authority now and why this issue was not placed on a ballot in 2002, 2003, last year or the year before when the economy was better. Mayor Andrews stated until the last three years the Village was able to run in the black and now there is a trend of decreased revenues. He noted as Mayor he is presenting the issues to the residents before a situation is no longer manageable to address it through various options such as asking for home rule or asking for a property tax increase and the choice will be up to residents. Mayor Andrews stated there are grant opportunities available to a community that would pay for the majority of a project, the Village could possibly obtain a low interest loan for the remaining 10% or 20% to complete the project or revenue could be generated through a sales tax collected to pay off the loan to participate in the grant. He noted without home rule authority the Village cannot even participate in those grants.

A resident of Thunderbird Drive asked what items make up the shortfall in revenue over the past few years. Mayor Andrews stated when the economy declined people stopping tearing down homes and rebuilding new homes or putting money into home remodeling projects so revenue from building permits decreased, people cut back on spending overall due to worries about losing jobs so sales tax revenues decreased and state shared revenues are also less. Mayor Andrews stated last year the budget deficit was projected to be about \$60,000 but because cuts were made to other budget items the deficit was only about \$20,000. He noted this year the budget deficit is projected to be about \$125,000 but that does not mean we will spend that deeply in the red. Mayor Andrews stated that the Board could have considered to place a question on the November ballot regarding a property tax increase but even if that was approved the Village would not receive the money from those taxes for about two years so that would be a last resort. He noted that home rule would give the Board the opportunity to try to raise revenues from other sources. A resident of Thunderbird Drive asked the Board how much the Village spent on the lawsuit about the fence for a handicapped child. Mayor Andrews stated that the Village did not deny a fence for that property, the Village did not pursue a lawsuit on that matter, the property owner decided to pursue the matter through the court system with legal action against the Village, a settlement was reached and the legal costs spent by the Village on that matter according to counsel was over \$50,000.

Mayor Andrews further noted that legal expenses were also incurred by the Village to negotiate a first collective bargaining police union contract, winter road salt also skyrocketed by 500% that year which affected the budget and vehicle sticker fees were increased from \$35.00 to \$50.00 to help generate an additional \$27,000 in revenue. He noted that a combination of many items have impacted budget deficits each year so the issue is being addressed now before the Village is faced with paying higher debt certificate payments that will increase by over \$100,000 within three years.

Mayor Andrews pointed out that some revenues can be obtained at the local level, other revenue can only be obtained through home rule authority that would allow a Village to act quickly and a property tax increase would be a last resort.

A resident asked what the tax rate is in the Village and if there is a tax cap. Mayor Andrews stated the tax rate in 2008 was .561. Counsel Rich Ramello stated that the Village operates under the Property Tax Extension Limitation Law which caps the gross property tax levy of the Village at the lesser of 5% of the Consumer Price Index over the prior year which is less than 1% of the cost of living. Counsel Ramello stated that home rule communities are not subject to tax caps.

Teri Matthews, of 11305 Hiawatha Lane, stated that if home rule were approved it would not only give the Board authority to seek revenues from other sources, it would also give authority to the Board to spend more money and she is not sure how finances have been managed over the years. Mayor Andrews stated that the Board has made decisions to try to do more for many years while operating with less revenues coming into the Village. He noted that the home rule referendum is being presented to residents to vote on the matter to allow the Board to try to seek revenues from other sources that are not totally dependent on a property tax increase. He noted that if a property tax increase were proposed on the ballot it would have to be above the tax cap to obtain the revenue needed for operating expenses and it likely may not pass. Mayor Andrews stated that there are streets in Ashbrook and on Arrowhead Trail that need repairs and the leaf pick-up program was suspended this year due to lack of funds in the budget. Teri Matthews stated that a leaf program was provided to residents for many years and it was just quickly eliminated without any other alternatives and that is an expense to residents also. Mayor Andrews stated that a resident cost sharing program for a leaf program could not be implemented because the Village is not home rule and cannot impose fees on residents for those types of services.

Kathleen Rosenbeck, of 6810 Joliet Road, stated that she moved from a home rule community to Indian Head Park, that was the best decision that community ever voted on and services were improved in that town when home rule was approved.

Loreen Scheer, of Hiawatha Lane, stated she has lived in Indian Head Park for seven years, her property taxes are about \$12,000 per year and she has young children in her family. She asked what home rule will do for her children because there are no sidewalks for children, no public library, no park district or services for children.

Mayor Andrews stated that the Village has a local police department that provides services to a small community as well as other community services. He noted a very small percentage of the tax bill comes back to the local municipality and that amount pays for all Village services. Mayor Andrews stated the concept of a sidewalk along the County right-of-way on Wolf Road was once proposed and there were no funds available for a sidewalk. Loreen Scheer stated that the Village spent money in the amount of \$300,000 for the Heritage Center property and also to put a park on the corner of Wolf and Plainfield Roads that is just vacant land that serves no purpose or provides no benefit to the community. Trustee Bermier stated that many years ago residents of the Village did not want Dominick's in town so the Village lost that chance for revenue, developers also wanted to put a movie theater, hotel, Sam's Club or Walmart where the golf course is on Joliet Road but there were so many residents at those meetings at that time that did not want any development in town.

Trustee Bermier stated that pedestrian pathways and sidewalks were also discussed many times over the years regarding a sidewalk to Highlands School, but residents were opposed.

Kathleen Graffam, of Briarwood, stated she has been a resident of the Village for twenty years and many times over the years residents have opposed revenue opportunities that have brought he Village Board to this point. She noted that only a small amount of money comes from sales tax revenue and residents need to allow the Board the ability through home rule to seek revenues from other sources.

Joan Metz, of 6403 Arrowhead Court, asked if the Village has considered selling off any Village assets including the vacant park land at Wolf and Plainfield Road as well as the Heritage Center property on Wolf Road. She added the Heritage Center property is not utilized very much and funds were spent to put paved parking and to install a circular drive on property that is not being used. Mrs. Metz stated that if the properties are sold and redeveloped the Village would receive property tax revenues. Mayor Andrews stated that grant monies were used to acquire both properties so the Village would need to look into whether the Village would have to pay money back if the property is sold. He noted that both properties are an asset, in light of the depressed housing market now would not be a good time to sell any real estate and the Village is not at risk of defaulting on a loan so it is not an emergency situation to sell assets at this point. Joan Metz asked if the Village could use the Heritage Center property as collateral to obtain a low interest loan if needed. Mayor Andrews stated that payments would still need to be made on a loan. Joan Metz asked how much the cost is to maintain the Heritage Center. Mayor Andrews stated that the Heritage Foundation pays a portion of rent to the Village to help pay for electricity and other utilities and there are no taxes because it is Municipal owned property. He noted that painting of the facility was deferred because there are no funds to pay for it in the budget. Trustee Coleman stated that a structural repair of the foundation was made, the chimney was repaired, a new roof was installed and there are monthly utilities.

Rita Mayer, of 6361 Pontiac Drive, asked if the Board would reconsider continuing the leaf program if home rule referendum were to be approved by the voters. Mayor Andrews stated that one section may want leaves picked up in town and another section of town wants to know if streets will be paved. Mayor Andrews pointed out that the Village cut back on many items over the years to save expenses, the Village went to Southwest Central Dispatch while still maintaining a police force to patrol the Village and a small amount is paid on the tax bill to Indian Head Park to provide all community services (police protection, public works, administration). Mayor Andrews stated home rule is needed to be able to determine how revenue can be generated from a variety of sources. Mayor Andrews added that if the Village was home rule and more revenue was generated, the leaf pick-up program would be on the list of services the Village could provide.

Michael Pall stated that he is the resident that had an issue with the Village about a fence for his daughter that has special needs and there was a public zoning hearing and meetings on the issue. Mr. Pall further stated that the Village spent \$50,000 over a fence issue to fight the American with Disabilities Act law, there is no mention of why the Village spent that much in legal fees for that one issue and the Village misused taxpayer money. A resident in the audience stated that if anyone looks at the public record they will know what really happened with the fence issue, the Pall's knew even before they bought their current house because they had another real estate contract on another home in town with a contingency about a fence and they backed out of that contract. He added that the Pall's had the John Marshall Law School provide them with free legal representation while the Village had to pay counsel and waste Indian Head Park taxpayer money when the Pall's dragged the case along in the court system. Mayor Andrews pointed out that the public record reflects that the Planning and Zoning Commission and the Village Board granted approval of the fence for the Pall property but it was not big enough for the Pall's so they filed a lawsuit against the Village that cost the Village money until a settlement was reached. He noted that the Village is fully aware of the American with Disabilities Act, the Village had to defend itself against a lawsuit that was filed by a resident and the only issue was that the fence granted was not big enough for the resident.

Ron Kurzawski, of Pontiac Drive, stated there was a mention that back in 2002 that the total expenses were 5 million dollars and in 2003 the expenses dropped down to 3.3 million dollars. He asked how that amount in expenses decreased over one year. Mayor Andrews stated that the finance department representative is not in attendance this evening. However, if a phone number is left by Mr. Kurzawski with the Administration Office a call will be returned with the answers to those questions.

A resident asked if there is any additional loss in revenue that the Village receives now if the Village decided to share services with Cook County if the Village were to become home rule. Mayor Andrews stated there would be no additional loss on revenue by becoming home rule. Counsel Ramello stated that the Cook County State's Attorney would prosecute criminal cases whether a community is home rule or non home rule and the Village Prosecuting Attorney would represent certain cases whether the Village is home rule or non home rule.

Mayor Andrews stated that the ability to govern our own town gives the Village the ability to act, to make decisions, to raise revenues in areas that are prohibited unless a Village is home rule and certain decisions must still be placed on a ballot for voter approval even in home rule communities, such as a real estate transfer tax. Mayor Andrews stated the Illinois Association of Realtors mentioned in their mailers about a real estate property stamp tax but that can not happen even in a home rule community without a vote. Mayor Andrews stated that a real estate transfer tax is not under consideration at all for Indian Head Park.

Len Carnevale, of 6452 Cherokee Drive, stated that Western Springs has a population of less than 15,000 and Burr Ridge has a population of 11,500 and those communities are not home rule. Mr. Carnevale further stated that Western Springs has similar problems with revenues and that community is not asking for home rule. Mayor Andrews stated that Western Springs does have a downtown area with more commercial development and a bigger population translates into more revenue per capita. Mr. Carnevale stated that he did not move to Indian Head Park to be compared to McCook or Hodgkins and Indian Head Park is more similar to Western Springs or Burr Ridge. Mayor Andrews agreed and stated the references were with respect to sales tax revenue.

Janet Dimoff, a business owner of Flagg Creek Center, stated that she is concerned with home rule and possible increases in business license fees, property taxes and fee for service taxes. She added that the Flagg Creek Center business is comprised of hair salons and some of the business may be lost if the fees are increased. Mayor Andrews stated that the Board is in tune that it is a poor economy at this time and property owners as well as businesses are affected. Counsel Ramello stated that a number of years ago the City of Chicago, a home rule community, attempted to impose a service tax and the Illinois Supreme Court found that service taxes are unconstitutional and only the State legislature has the power to impose a service tax. He noted that even the State legislature when they impose a service tax has to craft the law as to not violate the Illinois Constitution. Counsel Ramello pointed out that non home rule and home rule communities alike cannot impose service taxes. Mrs. Dimoff stated that she is grateful for the businesses in the Flagg Creek Center and appreciates residents of the community that patronize the businesses in town. She added that property taxes have gone up over the years. Mayor Andrews stated that his tax bill has gone up over the thirty three years he has lived in town too but the local portion for Indian Head Park has not been increased by local property taxes in over fifteen years.

Mr. Davidson, of Thunderbird Drive, stated that he is not sure if he is in favor of home rule or not and based on some of the Villages mentioned that are home rule is because they are automatically home rule based on their population. He noted that other communities were mentioned that are doing well that are home rule such as Countryside and Hodgkins and unless we can have a commercial district like those communities there will not be significant revenue to be generated from businesses.

Mr. Davidson stated there is no place to develop commercially so the Board will have to try to find other sources of revenue through taxes or other means, the Village is a bedroom, landlocked community and there is no way to dramatically change the demographics of the community. Mayor Andrews stated that there is property to be developed along 70th Place and property to be developed on Joliet Road near the tollway. He noted that the Board has tried to find ways to generate more revenues and there have been business opportunities presented but those business interests chose to go elsewhere. He noted that some of the business in neighboring towns could have been in Indian Head Park generating revenue when the opportunity was presented.

Tim Kyzivat, of 1 Stonehearth Lane, stated we cannot tie the hands of the Board and it is important to give them the flexibility to be able to react to situations that arise. He stated the economy is getting worse, people are not getting jobs and the State will continue to give the Village less money each year. Tim Kyzivat stated the flexibility has to be there to give the Board choices to look at various revenue sources and not just be tied into working with property taxes so the best decisions can be made by the Board that are in the best interests of the Village. He added that if the Board does not do their job residents always can vote someone else into office. Mr. Kyzivat stated that we have a wonderful Village and if someone moved in and does not like what is here they can always choose to live elsewhere and the people who like what they have will stay here and residents should give the Board the flexibility to do what is necessary to avoid having to raise property taxes as a last resort.

Mayor Andrews stated that Indian Head Park residents will have an opportunity to vote on November 2nd to decide whether Indian Head Park should be a home rule community and the decision will be made by voters. Mayor Andrews further stated as an example there may be two communities separated by common streets and they both have the same type of housing, same housing values, same school districts and similar demographics. However, on one side of the street the neighborhood has nice streets, curbs, gutters, it is well maintained, leaves are picked up, snow is plowed and streets are salted after snowfalls. The other side of the street the roads are in disrepair, the police department is there on one shift five days a week and the rest of the time the County patrols. Mayor Andrews stated we must ask ourselves which of the two sides of the street will have a higher property value and which side of the street may have higher property taxes. He noted that if the share of property taxes is raised for those services even to some extent it would be worth while. Mayor Andrews stated that in August 1959 the Village was incorporated and a 50th anniversary celebration was held last year, the referendum proposed is presented to residents so the Board can do its best to work hard with the authority and tools to continue to move forward as a Village for another 50 years.

Mayor Andrews stated that a Village at the age of 51 can be likened to a person that has grown into adulthood. As a child in its early years is watched by its parents and taught by the parents and has limited rights or privileges rose into teenage years and gets a few more rights and privileges but still with limitations and finally it becomes a mature adult and is given full rights as an adult and full responsibilities.

Mayor Andrews stated that perhaps in the early years of the Village non home rule made sense but now, a Village at age 51, would not want to be treated like a kid. He added that it is time for the Village to accept home rule as an adult accepts the rights and responsibilities without outside limitations from Springfield or outside interests like the Illinois Realtors Association telling the Village what is best for the community. Mayor Andrews stated that hopefully everyone received enough information to make an informed decision on home rule and he thanked everyone for attending the meeting.

ADJOURNMENT

There being no further business to discuss by the Village Board, Trustee Anselmo moved, seconded by Trustee Bailey, to adjourn the special townhall meeting at 9:30 p.m. Carried by unanimous voice vote.

Respectfully Submitted, Kathy Leach, Deputy Clerk/Recording Secretary